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NASA Procedural Requirements

COMPLIANCE IS MANDATORY**NPR 9640.1**Effective Date:
January 18, 2013
Expiration Date:
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Request Notification of Change

 (NASA Only)

Subject: Financial Management of Contractor Claims Against NASA

Responsible Office: Office of the Chief Financial Officer[| TOC](#) | [Preface](#) | [Chapter1](#) | [AppendixA](#) | [AppendixB](#) | [AppendixC](#) |
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Preface

P.1 Purpose

This NASA Procedural Requirements (NPR) document provides financial management requirements relating to the settlement of claims against the United States, as represented by NASA, which must be adjudicated by the authorized Government agency before payment is made or denied. NASA is required to process claims received promptly and pay or deny claims based on laws, statutes, decisions of an authorized Government agency or the Executive Branch agency out of whose activity the claim arose, and other legal written documentation. Federal Acquisition Regulation (FAR) and NASA FAR Supplement govern the resolution of claims against NASA contracts.

This NPR does not provide financial management requirements relating to claims of the United States, as represented by NASA, against the public. Claims of NASA, usually referred to as debt, and debt collection are covered in NPR 9610.1, Accounts Receivable.

P.2 Applicability

- a. This NPR is applicable to NASA Headquarters and NASA Centers, including Component Facilities and Technical and Service Support Centers.
- b. In this directive, all document citations are assumed to be the latest version unless otherwise noted.
- c. In this directive, all mandatory actions (i.e., requirements) are denoted by statements containing the term "shall." The terms "may" or "can" denote discretionary privilege or permission, "should" denotes a good practice and is recommended, but not required, "will" denotes expected outcome, and "are/is" denotes descriptive material.

P.3 Authority

- a. Chief Financial Officers Act of 1990, 31 U.S.C. § 902(a)(5).
- b. NASA Policy Directive (NPD) 9010.2, Financial Management.

P.4 Applicable Documents and Forms

- a. Public Law 104-316, General Accounting Office Act of 1996.
- b. Public Law 107-174, Notification and Federal Employees Antidiscrimination and Retaliation Act of 2002.
- c. Activities of Officers and Employees in Claims Against and Other Matters Affecting the Government, 18 U.S.C. § 205.
- d. Payment of Judgments and Compromise Settlements, 28 U.S.C. § 2414.
- e. Time for Filing Suit, 28 U.S.C. § 2501.
- f. Interest on Claims, 28 U.S.C. § 2516.
- g. Payment of judgments, 28 U.S.C. § 2517.
- h. Judgments, Awards, and Compromise Settlements, 31 U.S.C. § 1304.
- i. Authority to Settle Claims, 31 U.S.C. § 3702.
- j. Assignments of Claims, 31 U.S.C. § 3727.
- k. Setoff Against Judgment, 31 U.S.C. § 3728.
- l. Contract Disputes Act of 1978, 41 U.S.C. §§ 601-613.
- m. Powers of the Administration in Performance of Functions, 51 U.S.C. § 20113.
- n. Obtaining Payment from the Judgment Fund and Under Private Relief Bills, 31 CFR Part 256.
- o. Office of Management and Budget (OMB) Determination Order, Determination With Respect To Transfer Of Functions Pursuant To Public Law 104-3 16, Dated December 17, 1996.
- p. FAR Subpart 33.208, Interest on Claims.
- q. Treasury Financial Management Manual (TFM), Volume I, Pt. 6 Ch. 3100, (I TFM 6-3100), Certifying Payments and Recording Corresponding Intragovernmental Receivable in the Federal Government's Judgment Fund.
- r. NPD 9645.2, Delegation of Authority - To Waive Claims for Erroneous Payment of Pay and Allowances, Travel and Transportation, Relocation Expenses and Allowances.
- s. NPR 9645.1, Claims for Erroneous Payment of Pay and Allowances, Travel and Transportation, Relocation Expenses and Allowances.

P.5 Measurement/Verification

- a. Quality assurance reviews and analysis of financial and budgetary reports and data submitted through the continuous monitoring program will be used to measure compliance with this NPR.
- b. Amounts recorded for claims reimbursed by the Judgment Fund are confirmed quarterly by the United States Department of the Treasury (Treasury) during the intragovernmental confirmation process.
- c. Claims meeting the definition of contingent liabilities are recorded and reported in the Financial Statements in accordance with NPR 9260.1, Revenue, Unfunded Liabilities, and Other Liabilities. The Financial Statements are audited annually.

P.6 Cancellation

None.

/S/

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